REMARKS

Claims 1-17 are currently pending in this application.

Claims 1-17 are rejected.

Claims 1-17 are presented herein for review and reconsideration by the Examiner.

No new matter has been added.

I. REJECTIONS TO THE CLAIMS BASED UPON 35 U.S.C. § 103

Claims 1-17 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,159,659 to Cameron in view of U.S. Patent No. 4,238,666 to Pomper. The Examiner indicates that Cameron discloses a heating element enclosed by a tubular metallic outer sheath. Furthermore, the Examiner states that Pomper, when combined with Cameron, serve to make the present invention obvious and that Pomper discloses an opening means for fluid circulation, a washer for security pins, a thermostat, and grooves.

Claim 1 is directed to an apparatus for heating water. To this end, the claim recites a water receptacle having a bottom wall and side walls for containing a volume of water to be heated, the bottom wall having an interior surface, which is proximate to the water to be heated, and an exterior surface. The bottom wall is provided with an opening which communicates between the exterior and interior surfaces. The interior surface is proximate the volume of water to be heated.

The apparatus also includes means for heating the water which is contained within the receptacle. Additionally, the apparatus includes means for distancing the means for heating said volume of water away from the interior side of the water receptacle. A means for securing the heater to the exterior surface of the water receptacle is provided so that the heater is coupled to the

distancing means and to the bottom wall of the receptacle.

Cameron discloses a hot water tank construction, an electrically operated heating element construction and a method of making the same. The electrically operated heating element is provided with a heating element and a fitting which threads into an opening in the wall of the tank. The heating element has an outer metallic tubular sheath and an inner conductible heater wire insulated from the sheath. Contrary to claim 1, Cameron does not recite a means for distancing the heater away from the interior surface of the water receptacle. Nor does Cameron recite a means for securing the heater to the exterior surface of the water receptacle so that the heater is coupled to the distancing means and to the bottom of the receptacle.

Pomper discloses a portable liquid heating device which includes a single service beverage container defining a cavity for a quantity of liquid and a removable electric heating unit disposed in the container to heat the liquid. Contrary to claim 1, neither Cameron nor Pomper recites either a means for distancing the heater away from the interior surface of the water receptacle or a means for securing the heater to the exterior surface of the water receptacle so that the heater is coupled to the distancing means and to the bottom of the receptacle. Such a component allows the heater to be attached to a container fabricated from that other than expensive materials capable of withstanding high temperatures. Furthermore, given that neither Cameron nor Pomper, alone or in combination, contemplate a distancing means, they also do not contemplate a means for securing such a distancing means between the heater and the receptacle wall. Accordingly, the rejection as to claim 1 should be withdrawn.

Claim 2 sets forth the additional limitation in which the means for heating the volume of water is provided with a peripheral grooved portion and wherein the means for distancing the

heater means away from the interior surface comprises a collar member, the collar member positioned within the grooved portion for forming a seal between the volume of water, the heating means and the opening in the bottom wall.

With regard to the grooves 66a and 66b in Pomper, which the examiner cites in the Office Action, these grooves serve a different purpose than the peripheral grooved portion set forth in claim 2. The grooves in Pomper serve to seal the apparatus itself and do not relate to the heating element. Instead, the grooves in Pomper are used to aid in joining dome 4 and flange 6. Specifically, the grooves are meant to accept a chemical solvent which partially dissolves dome 4 and flange 6 allowing the parts to be bonded into a single structure. On the contrary, the grooves as set forth in claim 2 are provided to retain a collar member for forming a seal between the volume of water, the heating means and the opening in the bottom wall. Pomper discloses neither the groove nor the collar. Accordingly, as neither Cameron nor Pomper alone or in combination disclose the elements of claim 2, this rejection should be withdrawn.

Claim 6 recites the further limitation of a securement pin extending through an opening in the bottom wall of the water receptacle, the securement pin having first and second ends, wherein the first end of the securement pin is matingly engaged with the heater. A washer adjacent to the exterior surface of the water receptacle is provided, wherein the washer retains the second end of the securement pin to the exterior surface of the bottom wall of the water receptacle so that when the securement pin is tightened, the collar member is compressed relative to the bottom wall of the water receptacle to form a liquid tight seal for containing the volume of water in the water receptacle.

Claim 7 further recites that the securement pin is provided with threads for threaded engagement with the means for heating the volume of water. Accordingly, as neither Cameron nor

Pomper alone or in combination disclose the elements of claim 6 and 7, this rejection should be withdrawn.

Claim 11 recites that the heater enclosure shell further comprises a flange portion, the flange portion overlapping the cap. Given neither Cameron nor Pomper alone or in combination disclose the elements of claim 11, this rejection should be withdrawn.

Similar to claim 1, claim 15 is directed to an apparatus for heating water. To this end, the claim recites a water receptacle having a bottom wall and side walls for containing a volume of water to be heated. The bottom wall has an interior surface, which is proximate to the water to be heated, and an exterior surface. Also, the bottom wall of the receptacle has a hole. The apparatus includes an electric heater for heating the volume of water and a collar member for spacing the electric heater away from interior surface. Claim 15 also defines a securement pin and washer which, in conjunction, compress the collar to create a water type seal. In view of the arguments set forth herein and as Cameron and Pomper, alone or in combination, do not recite these limitations, this rejection should be withdrawn.

II. PRIOR ART MADE OF RECORD

It is respectfully submitted that all claims pending in this application patently define over the prior art cited by the Examiner. The prior art made of the record but not applied by the Examiner has also been reviewed by the Applicants. None of these references, however, alone or in combination, teach the invention as presently claimed. Thus no further discussion of these references is believed to warranted or necessary at the present time.

III. FEES

No fees are believed to be due and owing as a result of this amendment. Any additional fees or charges required at this time in connection with the application may be charged to our Patent and Trademark Office Deposit Account No. 19-2825.

IV. CONCLUSION

In view of the aforementioned remarks, it is respectfully submitted that all claims currently pending in the above identified application are now in condition for allowance, the earliest possible notification of which is earnestly solicited. If in the Examiner's opinion the prosecution of the present application would be advanced by a telephone interview, he is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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